

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>TECUMSEH BROWN-EAGLE,</b>	)	
	)	
<b>Plaintiff</b>	)	
<b>v.</b>	)	<b>Civil No. 12-314 Erie</b>
	)	
<b>COUNTY OF ERIE, PENNSYLVANIA,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER ON MOTIONS**

Presently before the Court are Defendant's Motion to Dismiss Plaintiff's First Amended Complaint, Plaintiff's Brief in Opposition, and Plaintiff's Motion for Leave to File Second Amended Complaint. We will permit Plaintiff to file a Second Amended Complaint. Accordingly, the following Order is hereby entered.

AND NOW, this 24th day of April, 2012, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. Plaintiff's Motion for Leave to File Second Amended Complaint be and hereby is GRANTED. Plaintiff's Proposed Second Amended Complaint attached as an Exhibit to his Motion shall be filed as a Second Amended Complaint. Defendant's Response to the Second Amended Complaint shall be due 14 days from the date the complaint is filed.
2. Defendant's Motion to Dismiss Plaintiff's First Amended Complaint is DENIED as moot.
3. The Initial Case Management Conference set for Monday, May 6, 2013 at 1:30 PM is hereby CANCELLED. This conference will be rescheduled at a later date. Accordingly, the parties need not file their Rule 26(f) written report and Stipulation Selecting ADR Process that was due on April 29, 2013.

s/Maurice B. Cohill, Jr.  
Maurice B. Cohill, Jr.  
United States District Judge